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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GEORGE TRIANTOPOULOS and KEN BANAS

Appeal 2007-4425
Application 10/047,471
Technology Center 2800

Decided: February 28, 2008

Before JOSEPH F. RUGGIERO, ROBERT E. NAPPI, and KEVIN F.
TURNER, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 6(b) (2002) of the final rejection of claims 1 through 9.

We reverse the Examiner's rejections of these claims.

INVENTION

The invention is directed to a connector for connecting multiple connectors to a transformer. See page 2 and figure 1 of Appellants'

Specification. Claim 1 is representative of the invention and reproduced below:

1. A connector for attachment to an extending transformer stud comprising:
an elongate central body having a longitudinal bore, opening at one end for insertable accommodation of said transformer stud;
an elongate conductor accommodating body extending along said central body in side-by-side relationship, said conductor accommodating body including a plurality of spaced apart conductor insertion apertures, said apertures being spaced along the length of said conductor accommodating body so as to be longitudinally coextensive with said longitudinal bore of said central body.

REFERENCE

Kraft US 4,214,806 Jul. 29, 1980

REJECTIONS AT ISSUE

Claims 1 through 3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kraft. The Examiner's rejection is on page 3 of the Answer.

Claims 4 through 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kraft. The Examiner's rejection is on pages 3 and 4 of the Answer.

Throughout the opinion, we make reference to the Brief (received November 24, 2003), Reply Brief (received March 31, 2004), and the Answer (mailed January 29, 2004) for the respective details thereof.

ISSUES

Appellants contend that the Examiner's rejection of claims 1 through 3 under 35 U.S.C. § 102(b) is in error. Appellants argue that Kraft does not teach a "connector for attachment to an extending transformer stud having

conductor insertion apertures spaced along the length of the conductor accommodating body ‘**so as to be longitudinally coextensive with said longitudinal bore of said central body.**’” Brief 5 (emphasis original). Appellants assert that the portion of Kraft’s connector which has insertion portions for other connectors is at the distal end of the connector and is not coextensive with the longitudinal bore of the central body. Brief 6.

Appellants’ contentions directed to the Examiner’s rejection under 35 U.S.C. § 102(b) present us with the issue of whether Kraft teaches that the connector includes a body to accept connectors which is longitudinally coextensive with the bore of the central body as claimed in claim 1.

On pages 8 and 9 of the Brief, Appellants contend that the Examiner’s rejection of claims 4 through 9 under 35 U.S.C. § 103(a) is in error. Appellants state that claims 4 through 9 are dependent upon claim 1 and that the arguments directed to claim 1 also apply to claims 4 through 9.¹

Thus, Appellants’ contention directed to the Examiner’s rejection under 35 U.S.C. § 103(a) presents us with the same issue as discussed *supra* with respect to claim 1.

FINDINGS OF FACT

1. Kraft teaches a connector which mounts on a stud to form an electrical connection. Abstract.
2. Kraft’s connector includes a central bore (item 40) which accepts the stud (item 38), the connector is secured to the stud by a set screw (item 42). Col. 3, lines 8-24, see figures 1-3.

¹ We note that Appellants present several arguments directed to the rejection under 35 U.S.C. § 103(a), however, as the issue raised by this argument is dispositive of the case, we do not address the other arguments raised.

3. Kraft's connector also has ports (items 30 and 32) where additional conductors may be attached. Col. 2, ll. 46-57 and figure 1.
4. The ports in Kraft's conductor are perpendicular to the central bore and are on the opposite end of the conductor body from the bore.
Figure 1.
5. Kraft does not identify whether the central bore extends to the area of the ports.

ANALYSIS

We consider the Examiner's rejections of claims 1 through 3 under 35 U.S.C. § 102(b) to be in error. Independent claim 1 recites:

elongate conductor accommodating body extending along said central body in side-by-side relationship, said conductor accommodating body including a plurality of spaced apart conductor insertion apertures, said apertures being spaced along the length of said conductor accommodating body so as to be longitudinally coextensive with said longitudinal bore of said central body.

Thus, the scope of the claim includes that the connector has a central body and second body. The second body has apertures to insert conductors. The second body also is in side-by-side relationship with the central body and the apertures are longitudinally coextensive (having the same longitudinal boundary) as the bore of the central body. We find that Kraft teaches a connector with a central bore (fact 2) and that the connector has apertures (ports) to insert conductors (fact 3). While the Examiner has found, on page 5 of the Answer, that Kraft teaches the central body and the apertures are longitudinally coextensive as the bore of the central body, we disagree with this finding. We do not find that these ports are side-by-side with and share the same longitudinal boundaries as the longitudinal bore. Facts 4 and 5.

Thus, Appellants' contentions have persuaded us that the Examiner's rejection of independent claim 1 is in error as Kraft does not teach all of the limitations claimed. Accordingly, we reverse the Examiner's rejection of claims 1 through 3.

We similarly reverse the Examiner's rejection of dependent claims 4 through 9 under 35 U.S.C. § 103(a) as being unpatentable over Kraft. The Examiner has not provided any evidence that it would be obvious to modify Kraft such that the ports are side-by-side with and share the same longitudinal boundaries as the longitudinal bore.

ORDER

For the foregoing reasons, we will not sustain the Examiner's rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103. The decision of the Examiner is reversed.

REVERSED

Appeal 2007-4425
Application 10/047,471

tdl/gw

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